


Councilmember Harold Brazil

A BILL

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To amend, on a temporary basis, the Business Improvement Districts Act of 1996 to approve the expansion of the downtown business improvement district and to clarify the procedures for the expansion of a business improvement district.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA,

That this act may be cited as the "North Capitol Expansion and Expansion of Business Improvement Districts Temporary Amendment Act of 2002".

Sec. 2. Geographic expansion of the downtown business improvement district.

(a) Section 5 of the Business Improvement Districts Act of 1996, effective May 29, 1996 (D.C. Law 11-134; D.C. Official Code §2-1215.04), is amended by adding a new subsection (c-1) to read as follows:

"(c-1) (1) The expansion of the downtown BID, to include, in addition to the area described in subsection (c) of this section, all of the properties within the area created by drawing a line that starts at the intersection of the center of Massachusetts Avenue, N.W., and the western edge of I-395; and continues southeast along the center of Massachusetts Avenue, N.W., to the center of North Capitol Street; continues north along the center of North Capitol Street to the center of K Street, N.W.;

1 and continues east along the center of K Street, N.W. to the eastern edge of the eastern
2 sidewalk on First Street, N.E.; and continues south along the eastern edge of the eastern
3 sidewalk on First Street, N.E., to the center of Massachusetts Avenue, N.E.; and
4 continues southeast along the center line of Massachusetts Avenue, N.E., to the center of
5 Louisiana Avenue, N.E.; and continues southwest along the center line of Louisiana
6 Avenue, N.E., and Louisiana Avenue, N.W., to the center of Constitution Avenue, N.W.;
7 and continues west along the center line of Constitution Avenue, N.W., to the center of
8 Second Street, N.W.; and continues north along the center line of Second Street, N.W., to
9 the center of C Street, N.W.; and continues west along the center line of C Street, N.W.,
10 to the eastern edge of the Department of Labor Building; and continues north along the
11 eastern edge of the Department of Labor Building to the center of D Street, N.W.; and
12 continues west along the center line of D Street, N.W., to the western edge of I-395; and
13 continues north along the western edge of I-395 to the center of Massachusetts Avenue,
14 N.W. (the starting point), is hereby authorized and the BID taxes specified for the
15 downtown BID are hereby imposed, subject to the approval of the Mayor pursuant to
16 section 10(a).”

17 “(2) This subsection shall constitute the approval of the Council
18 pursuant to section 10(b).”

19 **Sec. 3. Procedures for the expansion of a business improvement district.**

20 Section 10(a) (D.C. Official Code § 2-1215.09(a)) is amended as follows:

21 (a) A new paragraph (3A) is added to read as follows:

22 “(3A) The petition is submitted to the Mayor with:

1 “(A) The name and address of the BID corporation and a copy of
2 the resolution adopted by the Board of Directors of the BID corporation accepting the
3 petition;

4 “(B) A description by lot, square, and street address of the
5 property of each owner in the petition area, to the extent reasonably ascertainable;
6 provided, that a property subdivided into separate condominium units shall constitute a
7 single property for purposes of this sub-paragraph;

8 “(C) The most recent assessed value of each nonexempt real
9 property located in the petition area to the extent reasonably ascertainable from District
10 property tax records or a final determination of the District’s Board of Real Property
11 Assessment and Appeals; provided, that a property subdivided into separate
12 condominium units shall constitute a single property for purposes of this sub-paragraph;

13 “(D) A business plan for including the petition area in the
14 operations of the BID. The business plan shall contain, at a minimum:

15 (i) A map of the geographic area of the petition area
16 and the existing BID;

17 (ii) The specific goals and objectives for the inclusion
18 of the petition area in the BID consistent with the BID activity as defined in this act; and

19 (iii) The applicable BID taxes;

20 “(E) A list of the current members of the Board of Directors of
21 the BID; and

22 “(F) The current articles of incorporation and the bylaws of the
23 BID.”.

1 (b) Paragraph (4) is amended as follows:

2 (1) Strike the phrase "section 6" and inserting the phrase "sections 6
3 and 7; provided, that wherever the word "application" or phrase "BID application"
4 appears in section 6 or 7, the word or phrase shall be considered to refer to the expansion
5 petition, and wherever reference is made to the registration of the BID and the non-profit
6 corporation in section 7, the reference shall be considered to refer to registration of the
7 expanded BID" in its place; and

8 (2) Strike the phrase "Deputy City Administrator for Business
9 Services and Economic Development" and insert the phrase "Deputy Mayor for Planning
10 and Economic Development, or a successor thereto,".

11 (c) A new paragraph (6) is added to read as follows:

12 "(6) The Mayor shall approve a petition if the Mayor determines that
13 the petition was properly filed and adoption of the petition is consistent with the purposes
14 of this act and the definition of BID activity in section 3(6)."

15 **Sec. 4. Fiscal impact.**

16 The Council adopts the attached fiscal impact statement as the fiscal impact
17 statement required by section 602(c)(3) of the District of Columbia Home Rule Act,
18 approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

19 **Sec. 5. Effective date.**

20 (a) his act shall take effect following approval by the Mayor (or in the event
21 of veto by the Mayor, action by the Council to override the veto), a 30-day period of
22 Congressional review as provided in section 602(c)(1) of the District of Columbia

- 1 Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-
2 206.02(c)(1)), and publication in the District of Columbia Register.
3 (b) This act shall expire after 225 days of its having taken effect.